

PLANNING COMMISSION PUBLIC HEARING- JULY 9, 2008

ZT-9-2008

Zone Text Change Temporary Sign Ordinance

Staff Presentation by Hannah Thiel, Planner I

Legal Authority

Title 11 Sign Ordinance

Background

Staff is requesting a zone text change for the Sign Ordinance. This text change would reorganize, clean-up, and add regulations to the Temporary Sign Ordinance. The existing ordinance minimally refers to temporary signs in various places in the sign ordinance, which creates some confusion as to the City's standards.

This text change would create a 90 day time limit for temporary signs and limit businesses to one temporary sign. An exception to this would be for Grand Openings, where businesses could have multiple signs and various sign types that are otherwise prohibited for 30 days after approval of a business license.

The following is a summary of changes this Temporary Sign text change is proposed to undergo;

1. Further types of temporary signs added to definition
2. General clean-up of ordinance
3. Reformat ordinance to keep all temporary use signs together
4. Flags (permanent) added under Miscellaneous
5. Bus Bench standards added under Miscellaneous
6. Banner light pole signs allowed within parking lots (max 2'x 6') added under Miscellaneous
7. Temporary Signs
 - a. Permit sticker for sign required;
 - i. We just have a stack at the counter that we hand out,
 - ii. The business owner signs a form saying he or she will follow the ordinance
 - iii. The dates that the sign is okay is written on the sticker
 - iv. We keep a spreadsheet or list of who has gotten a sticker and where, although since only one is allowed, code should be able to monitor this with out a list...
 - b. Time limit of 90 days with 1 allowed every six months (On 90, off 90)
 - c. Banner Signs – now 1/business– max 50 sq ft until the tenant space is min 150 linear ft when the business can have 10% of front facade
 - d. Banner Signs – now 1 allowed per business until get permanent signs – max 90 days
 - e. Government flags – now 3 allowed per business or dwelling – in conjunction with flag code
 - f. Merchandise Display clean up – out of ROW including on and off site sidewalks

- g. Prohibited Signs (A-frame, mobile, off premise, mobile/pedestal, feathers, flags used for advertising, streamers/pennant-type streamers, snipe signs unless political, inflatable)
 - h. Grand Opening allows business owner to use whatever signage they like for 30 days from issuance of business license (must keep out of clear-view and ROW)
 - i. Window Signs – max 50% of window coverage per business (one covered, one open, or a banner across the top of multiple windows)
8. Roof Sign revamp

Planning Commission Concerns

The Planning Commission issued concern at the Study Session on July 2, 2008 regarding the following:

1. The time it takes someone to have a permanent sign manufactured for their business. ~ Yesco indicated it would take 4-6 weeks to complete an order for a new wall sign, so the 90 day time period should be more than enough time for a business to have a permanent sign made.
2. The number of Commercial or Manufacturing Construction Project Signs on larger lots ~ An exception was added to permit the Planning Commission to allow more than one sign for the City Center Zone, for properties next to freeways, and for projects larger than five acres.
3. Government flags may be put in the park strip or front yard setback on National AND Local holidays.
4. Grand Openings may be held a maximum of once every two years.
5. 'Off-Site promotional signs...' were deleted from acceptable zoning regulation for new subdivisions, although a developer may still be able to use off premise signage from 11-5-102(4). By deleting it, it really only limits the awareness of that allowance...
6. Four off-premise signs are allowed for open houses for a maximum of eight hours a day.
7. State and Local political signs can be posted a maximum of two months prior to the election (and removed 15 days after the election date).
8. A maximum of 30% of a building façade can be used for temporary signage at one time.

Recommendations/ Staff Alternatives

- Approval of the Zone Text Change of the Sign Ordinance subject to any conditions placed by the Planning Commission.
- Continuance, for resolution of any issues.
- Denial of the Zone Text Change of the Sign Ordinance.

Applicant:

West Valley City

Discussion: Hannah Thiel presented the application. Phil Conder asked if the political sign regulations apply to people who have signs in their own personal yard. Hannah replied that this portion of the ordinance applies to all zones. Commissioner Conder questioned if someone could put any sign they wanted in their yard. Hannah

replied that it can't be anything permanent. She added that even home occupations are only allowed a small portion of signage because a goal of the City is to keep residential areas looking residential. Jason Jones asked if security signs are applicable to this ordinance and Commissioner Conder asked if marketing signs, such as a business that provided landscaping on a home, apply as well. Hannah replied that both of these signs would need to comply with the sign ordinance in a residential zone.

Terri Mills stated that she is very concerned about allowing 50% signage in the window's. She explained that over the 4th of July weekend she traveled around the Salt Lake valley and noticed that other cities are more attractive because they seem to have less signage. She stated that cluttered windows do not enhance the building or entice customers into the store. Commissioner Mills continued to add that she is concerned with the size of the banner light pole signs and explained that when two signs are placed on either side of the pole it becomes a 4x6 sign. She added that she is worried about allowing 2 newspaper stands at every transit location because this can cause an excess of litter on the streets. Commissioner Mills concluded that she doesn't feel comfortable listing all the materials that a temporary sign can be composed of. Hannah replied that one of the main reasons staff has drafted this ordinance is because the new City department requires a method to enforce signs and begin taking a step in the right direction toward cleaning up the City. She added that more steps will be taken in the future that will restrict temporary signs further. Commissioner Mills stated that when the City puts a maximum or a minimum restriction on something business owners will take complete advantage of that and do more. Harold Woodruff asked Commissioner Mills what seems reasonable. Commissioner Mills replied that it may be beneficial to limit signage per building so that all these different types of signs, with different percentages, aren't combined to overwhelm a building. She added that a lot of signage depends on the architecture and size of the building. Chairman Woodruff asked how this can be revised in the ordinance. Commissioner Mills replied that she isn't sure but these concerns should be addressed and discussed.

Phil Conder asked if it is reasonable to assume this isn't the last time the Planning Commission will see this ordinance. Hannah replied that she is sure this will return at some point or another. Phil Conder stated that it may be good to approve this to allow Code Enforcement to begin the process of cleaning some portions of the City up. Hannah added that the Planning Commission can review the ordinance when they wish. The idea is to take baby steps toward cleaning up the City and provide Code Enforcement the opportunity to enforce the problems that already exist. Jason Jones asked if there is a time frame businesses will have before they are required to conform. Hannah replied that they must come into compliance as soon as the ordinance is adopted. Terri Mills stated that she would like to continue this application to keep the discussion going. She stated that other cities have successful businesses that are not cluttered with signage.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Mills moved for continuance to resolve Planning

Commission concerns raised at the public hearing.

Commissioner Jones seconded the motion.

Roll call vote:

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|---------------------|-----|
| Commissioner Conder | Yes |
| Commissioner Jones | Yes |
| Commissioner Mills | Yes |
| Chairman Woodruff | Yes |

Unanimous - ZT-9-2008– Continued

PLANNING COMMISSION PUBLIC HEARING- JULY 23, 2008

ZT-9-2008 – continued from July 9, 2008

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Legal Authority

Title 11 Sign Ordinance

Background

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This text change would create a 90 day time limit for temporary signs, other than window signs, and limit businesses to one temporary sign. An exception to this would be for Grand Openings, where businesses could have multiple signs and various sign types that are otherwise prohibited for 30 days after approval of a business license.

The following is a summary of changes this Temporary Sign text change is proposed to undergo;

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3. Reformat ordinance to keep all temporary use signs together
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5. Bus Bench standards added under Miscellaneous
6. Banner light pole signs allowed within parking lots (max 12 sq ft) added under
7. Miscellaneous
8. Temporary Signs
 - a. Permit sticker for sign required;
 - i. We just have a stack at the counter that we hand out,
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 - e. Government flags – now 3 allowed per business or dwelling – in conjunction with flag code
 - f. Merchandise Display clean up – out of ROW including on and off site sidewalks
 - g. Prohibited Signs (A-frame, mobile, off premise, mobile/pedestal, feathers, flags used for advertising, streamers/pennant-type streamers, snipe signs unless political, inflatable)
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9. Roof Sign revamp

Planning Commission Concerns

The Planning Commission issued concern at the Study Session on July 2, 2008 regarding the following:

1. The time it takes someone to have a permanent sign manufactured for their business. ~ Yesco indicated it would take 4-6 weeks to complete an order for a new wall sign, so the 90 day time period should be more than enough time for a business to have a permanent sign made.
2. The number of Commercial or Manufacturing Construction Project Signs on larger lots ~ An exception was added to permit the Planning Commission to allow more than one sign for the City Center Zone, for properties next to freeways, and for projects larger than five acres.
Government flags may be put in the park strip or front yard setback on National AND Local holidays.
3. Grand Openings may be held a maximum of once every two years.
4. 'Off-Site promotional signs...' were deleted from acceptable zoning regulation for new subdivisions, although a developer may still be able to use off premise signage from 11-5-102(4). By deleting it, it really only limits the awareness of that allowance...
5. Four off-premise signs are allowed for open houses for a maximum of eight hours a day.
6. State and Local political signs can be posted a maximum of two months prior to the election (and removed 15 days after the election date).

7. A maximum of 30% of a building façade can be used for temporary signage at one time.

The Planning Commission continued this item from the Public Hearing held on July 9, 2008 for the following concerns:

1. Newspaper stands don't provide an attractive element to street aesthetics. ~ Those desiring a newspaper stand must enter into a franchise agreement with the City to place a newspaper stand. Only one stand is allowed per bus stop, but the stand could have up to four compartments for newspapers.
2. A total of 24 square feet of signage is a very significant amount of signage to allow on light poles in parking lots. ~ A maximum of 12 square feet is now allowed.
3. Permanent flags can look aesthetically pleasing and shouldn't be limited in number. ~ There is now no limit on number for government flags. Applicant must go to PC if they'd like any advertising flags or to locate advertising flags closer than 20' to the property line. An applicant must also go to Planning Commission if they'd like government flags closer than 10' from the property line.
4. Window signs shouldn't be allowed at all for businesses. ~ Due to Chamber West's recommendation, and division among the Planning Commissioners, Window signs are proposed to be limited to 50% window area.

Recommendations/ Staff Alternatives

- Approval of the Zone Text Change of the Sign Ordinance subject to any conditions placed by the Planning Commission.
- Continuance, for resolution of any issues.
- Denial of the Zone Text Change of the Sign Ordinance.

Applicant:

West Valley City

Discussion: Harold Woodruff stated that he suggests changing the maximum window signage to 25% and political signs to a maximum of 16 square feet. Terri Mills stated that she likes the idea of one uniform newspaper stand at transit locations rather than multiple receptacles but added that she doesn't have the experience or knowledge to address how many newspapers should be permitted in one stand. Chairman Woodruff replied that he liked the idea of one stand that holds four newspapers because that seems to make the most sense.

Phil Conder stated that he is leaning toward not permitting advertising flags and added that patriotic flags are fine. Harold Woodruff questioned if flags like McDonalds' would need to be removed. Hannah replied that permanent flags will stay but all temporary flags must conform. Phil Conder questioned if anybody wishing for a temporary commercial flag can apply for a conditional use amendment. Nicole Cottle replied that anyone who already has a commercial flag would be allowed to keep it but anything new would need to go to the Board of Adjustment. Commissioner Conder asked what would happen if an applicant was changing an existing flag to a new look. Nicole replied that they would be required to come into conformance. Harold Woodruff stated that some corporate flags look fine.

Commissioner Conder questioned if the Planning Commission can restrict commercial flags to corporate logos. Nicole Cottle replied that it can't legally be restricted by content, only by group of content like commercial, governmental, etc. Chairman Woodruff questioned if there has ever been an issue with a business using flags as a pole sign. Phil Conder replied that he believes it could become a problem as pole signs are no longer permitted. Jack Matheson pointed out that the Cultural Celebration Center has their own flag. He added that if a company is willing to invest in a permanent flag pole they are going to put up whatever they wish, even if it is advertising for their firm.

Commissioner Matheson stated that he believes the Chamber recommendation of 50% window signage is necessary. Phil Conder replied that he can be swayed either way on window signage and added that the important thing is to get something in place rather than the virtually nonexistent requirements the City has now.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

Motion: Commissioner Conder moved for approval subject to the items outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 25%
2. Political signs shall not exceed 16 square feet
3. Commercial flags are not allowed (temporary and permanent)
4. Staff will attempt to accommodate Planning Commission concerns for commercial flags and revisit ordinance in the near future.
5. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin.

Commissioner Fuller seconded the motion.

Roll call vote:

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|-----------------------|-----|
| Commissioner Conder | Yes |
| Commissioner Fuller | Yes |
| Commissioner Matheson | No |
| Commissioner Mills | Yes |
| Chairman Woodruff | No |

Majority - ZT-9-2008-- Denied

Chairman Woodruff called for a second motion.

Motion: Commissioner Matheson moved for approval subject to the items outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 50%
2. Political signs shall not exceed 16 square feet

3. Temporary commercial flags are not allowed (permanent flagpoles shall remain)
4. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin

Commissioner Fuller seconded the motion.

Roll call vote:

| | |
|-----------------------|-----|
| Commissioner Conder | No |
| Commissioner Fuller | Yes |
| Commissioner Matheson | Yes |
| Commissioner Mills | No |
| Chairman Woodruff | Yes |

Majority - ZT-9-2008– Denied

Chairman Woodruff called for a third motion.

Motion: Commissioner Conder moved for approval subject to the items outlined in the packet provided by staff as well as the following conditions:

1. Window signs shall have a maximum coverage of 25%
2. Political signs shall not exceed 16 square feet
3. Staff will review ordinance with the Planning Commission in the future.
4. Only one newspaper enclosure will be permitted at each transit location with a maximum of 4 newspapers per bin

Commissioner Mills seconded the motion.

Roll call vote:

| | |
|-----------------------|-----|
| Commissioner Conder | Yes |
| Commissioner Fuller | Yes |
| Commissioner Matheson | No |
| Commissioner Mills | Yes |
| Chairman Woodruff | Yes |

Majority - ZT-9-2008– Approved